



PANHANDLE HEALTH DISTRICT

Healthy People in Healthy Communities

**DISTRICT 1 BOARD OF HEALTH MEETING
8500 N. ATLAS ROAD, HAYDEN, IDAHO 83835**

July 26, 2007

Minutes

8500 N. ATLAS ROAD
HAYDEN, IDAHO 83835
<http://www2.state.id.us/phd1>

Members Present: Marlow Thompson, Chairman Chris Beck, Vice Chairman
Allen Banks, Ph.D. Sharon Connors
Dale VanStone Richard McLandress, M.D.

Members Absent: Walt Kirby

Staff Present: Jeanne Bock Jim Fenton Dale Peck
Tanya Chesnut Mashelle Kenney Cynthia Taggart
Linda Karlgaard Dick Martindale DeNene Banger

Guests: Jerry Mason, Attorney Barb McFarland, League of Women Voters

Chairman Thompson called the Board of Health meeting to order at 1:00 p.m.

Review of Minutes—Marlow Thompson

Chairman Thompson asked if there were any corrections or changes to the minutes of the June 14, 2007, Board of Health meeting, or the minutes of the June 28, 2007, Board of Health conference call.

MOTION: Mr. VanStone moved to approve the minutes of the June 14, 2007, Board of Health meeting as well as the minutes of the June 28, 2007, Board of Health conference call as submitted; seconded by Dr. McLandress. All in favor; passed unanimously. Minutes approved as submitted.

Election of Board of Health Chairperson and Vice Chair/Trustee

MOTION: Dr. McLandress moved to re-elect Chairman Marlow Thompson as chair of the District 1 Board of Health and Chris Beck as Vice Chair and Trustee of the District 1 Board of Health; seconded by Mr. VanStone. All in favor; passed unanimously. Motion carried.

Proposed Rule Change for EH Rules 4.01.01 – Dale Peck

Mr. Peck explained that the basis of the Negotiated Rule Making (NRM) process is to evaluate if there is a need to change flows for septic system design. The EPA On-site Wastewater System Manual is used for states as a base for determining standards. According to the EPA, only one-third of the nation's soil is suitable for subsurface sewage disposal.

The NRM process is intended to involve local individuals. To date, nine focus group meetings have taken place. Focus groups consist of builders, realtors, design professionals, citizens and agencies. Mr. Peck will provide the outcome of the focus group meetings to the Board and asked the Board to evaluate the information and decide on appropriate future action.

Ms. Connors arrived at 1:15.

The Environmental Health Division processes 1200 new septic permits per year; new systems, expansions and repairs. The two components for determining system size are soil type and wastewater flow.

Compared to 11 western states, Idaho has the lowest flow rates per bedroom of any of the western states used in the comparison. Currently, a four-bedroom home is sized for 300 gallons per day while most of the other states are double that.

Mr. Peck explained that the NRM issues for consideration are minimum wastewater flows, dwelling size, affect on flow, definition of a bedroom and loadings from short-term high occupancy.

Water usage studies from King County, Aspen CO, Fairfax VA, and Boise evaluated and compared with over 500 homes in the Idaho Panhandle. North Idaho homes less than 3000 sq feet were in line with King County.

Mr. VanStone confirmed with Mr. Peck that cost of a larger system is not the critical issue, but it's the amount of land needed to install larger systems and the impact it would have on smaller parcels of land.

Mr. Peck reviewed the Focus Group outcomes:

Focus group summary:

- Individual views varied.
- A number recommended septic system sizing be based on dwelling size or bedrooms at 120-150 gpd per bedroom, whichever is greater.

The CDA Lakeshore Property Owner's Association:

- Extent of the problem not adequately defined.
- Process motivated more by political pressure to limit growth than to facts and issues.
- Actions not supported by evidence, IDEQ or other Health Districts.
- Need more time to study the square-foot method.
- Investigate alternative treatment.
- Consider a combination of methods.

Tri-State Water Quality Council:

- Strongly supports square foot method.
- Justified in more stringent rules than State in the Panhandle.
- Could supports sizing based on a combination of square footage and bedrooms, whichever is greater.

Bonner Soil and Water:

- Start minimum flows of at least 400 gallons per day.
- Supports opportunity to do the right thing to protect the water.

RC Worst Co.:

- Supports square footage method
- Compliments PHD's efforts to improve dialogue and feedback to all involved.

Dr. Banks stated that the reasons for opposition from the legislators is not due to the changes in the rules, but the economic impact to people wanting to develop property and the loss of potential ability to develop smaller parcels. Dr. McLandress stated that PHD needs to focus on indications for a change and asked what studies or data is available on short-term high occupancy and the impact or degradation on systems. Mr. Peck explained that a system has to be able to handle the volume of liquid and treat it before it releases into soil.

Dr. McLandress stated that the Board agrees a change needs to take place, but the Board needs to make a decision when to proceed with the NRM process.

MOTION: Dr. McLandress made a motion that the Board confirms that they want to proceed with a change in determination of flow rates for the septic system rules and will review them in the interval between this meeting and the August 30, 2007, meeting. The Board's intent is to confirm a draft

proposal at the August 30, 2007, meeting. The rest of the rule making process goes in sync. Seconded by Ms. Connors.

Discussion: The Board will review all political ramifications and discuss the details of the draft rules and decide if they want to move forward with NRM. Mr. Beck asked if the motion intends to follow the schedule as presented by Mr. Peck. The Board needs to decide what and when the change should be. Mr. Mason explained that the Board undertakes the rulemaking and completes the rulemaking, then takes a position to adopt the rule changes. The final proposed rule then gets published in the Administrative Bulletin and included in the package that goes to the Legislature. The rule needs a rejection from the governing committees in both houses of the Legislature or the rule change is enacted. Mr. Beck stated that he is not ready to make a recommendation or vote in favor of a recommendation at this time and the board should consider adjusting the timing of the change.

Dr. McLandress wants to be clear to the public that the Board is seriously considering making a significant change and that the Board wants to move forward. Mr. Beck added that this change is above and beyond the State rules because of the nature of our area, water bodies, etc. and may not be appropriate in other areas of the state.

Ms. Bock stated that she promised the Committee that the Board would go through rule making process and return next year with a better rule for consideration.

Call for question to the motion made by Dr. McLandress and seconded by Ms. Connors. All in favor, passed unanimously. Motion Carried.

Sewage Permit/Site Evaluation – Dale Peck

Mr. Peck explained that based on feedback from the development community regarding the septic permit fee bundled with the site evaluation fee, Mr. Peck is asking the Board to approve re-instating the two-part application process as done in the past.

MOTION: Mr. Beck moved that PHD return to a two-part septic permit/site evaluation fee (\$500 for site evaluation and \$260 for the permit for a single family home; \$550 for the site evaluation and \$300 for a two-party system; \$1.50 per gallon of flow for site evaluation and \$1.00 per gallon of flow for septic permit for community/commercial applications); seconded by Mr. Dr McLandress.

Discussion: Dr. Banks asked why the need to return to a two-part fee. Mr. Peck explained that the separation is needed for people that only need a site evaluation for a document of assurance to buy a piece of property without having to buy a permit.

All in favor, passed unanimously.

Mr. Martindale reminded the Board that the August 30, 2007, Board of Health meeting is the meeting that the legislators will be invited to and should consider the tone of the meeting. The Board will be kept informed by staff.

Mr. Beck asked Mr. Peck to have PHD staff research water usage in the municipal areas in the winter months. He also asked that PHD staff consider, if possible, setting up a monitoring system to determine if water is being contaminated and at what rate. Ultimately, if that's what data shows and would support the rule change. Mr. Beck suggested feedback at the next meeting for the Board to make a decision.

Fiscal Report – Jim Fenton

Chairman Thompson asked the Board if they had any questions regarding the financial report and if the Board would like to receive the report based on what Mr. Fenton submitted in the Board packets.

MOTION: Mr. Beck moved to receive the financial report for the month ending June 30, 2007, submitted by Mr. Fenton; seconded by Dr. McLandress. All in favor; passed unanimously. Motion carried.

Mr. Fenton explained that there was a transition from the building fund account of \$250,000 that offset the purchase of St. Maries property.

Dr. McLandress left at 2:40

Director's Report – Jeanne Bock

- **St. Maries Project Update**

Ms. Bock referred the Board to her written report in the packet.

- **Deonn Erickson Memorial**

Ms. Bock informed the Board that PHD recently lost an employee, Deonn Erickson, who battled several years of Cancer. Ms. Erickson devoted 13 years to PHD and Ms. Bock would like to recommend a dedication in memory of Ms. Erickson by starting a Memory Garden, dedicating a tree or bench in her memory. Mr. Beck said that the City of Hayden has a similar garden in the city park and people are remembered with a plaque. Mr. Beck stated that this would be appropriate for Health District. Chairman Thompson concurs.

MOTION: Ms. Connors moved that PHD choose which and what areas of existing landscaping that would be used for dedication for employees that have passed away during their service. Chairman Thompson asked Ms. Bock to work with Ms. Duerock on the garden. Seconded by Mr. Beck.

Clarification: Ms. Bock would like to have a memory garden in all PHD offices.

All in favor, passed unanimously. Motion Carried

Executive Session (Pursuant to Idaho Code 67-2345(1)(f))

MOTION: Dr. Banks moved that the Board go into Executive Session pursuant to Idaho Code 67-2345(1)(f) to communicate legal matters with legal counsel; seconded by Mr. Connors. All in favor; passed unanimously. Motion carried. A roll call vote was taken: Mr. Vanstone-yes, Dr. Banks-yes, Mr. Beck-yes, and Ms. Connors-yes.

At 3:30 p.m., the Board resumed regular session.

MOTION: Mr. Beck moved that the Board reject all bids on the St. Maries project and re-bid the project within the next 60 days; second by Mr. VanStone.

Discussion: Mr. Beck added that the architect should review and consider a different bid package.

All in favor; passed unanimously. Motion carried.

New Business

- Ms. Bock distributed information on the Panhandle Public Health Foundation's (PPHF) first annual bike ride, August 25, 2007. Ms. Bock asked if the Board has ideas of sponsors to please forward the names to her and she will send them a sponsor package. So far, the Foundation has received \$1000 in sponsorships.

- The PHD All District Staff Meeting is scheduled for August 23. The a.m. session will be held at Atlas Elementary school and the p.m. session at the Hayden office. There will also be a silent auction to benefit the PPHF.
- Ms. Bock asked the Board to review the list of MOUs and will ask for Board action at the August 30, 2007, meeting.
- Ms. Karlgaard announced that Home Health received the Avatar Award for excellence in exceeding patient expectations and putting patients first. This is a significant achievement and is the third year in a row Home Health has received this award.

The next Board of Health meeting is scheduled for August 30, 2007, at 1:00 p.m. and the local legislators will be invited to attend.

There being no further business, the meeting adjourned at 3:30 p.m.

Adjourn

 8/30/07
Chris Beck, Chairman Date

 8/30/07
Jeanne Bock, Director and Secretary to the Board Date